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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,251	10/31/2003	Takanobu Adachi	SHO-0025	9042
23353 7590 01/10/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER FRISBY, KESHA	
			ART UNIT	PAPER NUMBER
			3714	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/697,251

Applicant(s)

ADACHI ET AL.

Examiner

Kesha Frisby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 & 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/7/2006 has been entered.

Status of Claims

After the RCE filed on 11/7/2006, claims 1-6 & 13-21 (New claims) are pending in this application. Claims 7-12 were cancelled.

Claim Objections

2. Claims 1, 5 & 21 are objected to because of the following informalities: In claim 1, "the game sear& instruction means" should be --the game start instruction means--. In claim 5, there should be a period (.) inserted at the end of this claim instead of a comma (,). Appropriate correction is required. In claim 21, change "became" to --become--.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. (U.S. Publication Number 2003/0087690) in view of Frain (U.S. Patent Number 5,683,295) and Okada (U.S. Patent Number 6,620,044).** Referring to claim 1, Loose et al. discloses a gaming machine (10) comprising: game start instruction means for instructing a start of a game (paragraph 0018: "Spin Reels" key on the button panel 24); determination means for determining symbols to be stopped (paragraph 0018: central processing unit) and whether or not a combination is won based on the symbols determined corresponding to a game start instruction command from the game start instruction means (paragraphs 0018 & 0019); means for displaying a result concerning with the game determined by the determination means (paragraphs 0012 & 0026); and means for generating a beneficial state for a player when a specific game result with a winning symbol combination is displayed on the game result display means (paragraph 0026); wherein the game result display means includes first display means (12a-12c) and second display means (14a & 14b) arranged at a more front side than a display area of the first display means when seen from a front side of the gaming machine (Figs. 2a & 2b), and the second display means has a symbol display area capable of transmittably displaying the specific game result displayed on the first display means therethrough (paragraph 0019), and wherein display control means (microcontroller 30) changes the light transmittance rate of the symbol display area so as to become low after the game is initiated and before the specific game result is displayed on the first display means (paragraph 0025). *Loose et al. does not disclose wherein the game result display means displays the specific game result by changing*

light transmittance rate of the symbol display area so as to become high and displaying the game information predicting the winning symbol combination before the specific game result is displayed on the first display means. However, Frain teaches wherein the game result display means displays the specific game result by changing light transmittance rate of the symbol display area so as to become high (column 4 lines 59-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include changing light transmittance rate, as disclosed by Frain, incorporated into Loose et al. in order to distinguish the winning combination from non-winning combinations. *Loose et al./Frain does not teach wherein the display control means is provided, the display control means controlling the second display means so as to display game information in an area including the symbol display area, the game information directly predicting the winning symbol combination.* However, Okada teaches wherein the display control means is provided, the display control means controlling the second display means so as to display game information in an area including the symbol display area, the game information directly predicting the winning symbol combination (column 2 line 64-column 3 line 10). It would have been obvious to one of ordinary in the art at the time the invention was made to include wherein the display control means is provided, the display control means controlling the second display means so as to display game information in an area including the symbol display area, the game information directly predicting the winning symbol combination, as disclosed by Okada, incorporated into Loose et al./Frain in order for the player to predict or expect a result of the game during the variation of symbols.

Referring to claim 2, Loose et al., as modified by Frain and Okada, discloses wherein the first display means has one or more symbol display parts (symbols on reels of Loose et al.) capable of variable displaying (visual association with display area 16 of Loose et al.), and wherein the display control means controls the second display means so as to display the game information in the area including the symbol display area substantially at the same time that the variable displaying in the symbol display parts is stopped and displayed (paragraphs 0012 & 0019 of Loose et al.).

Referring to claims 3 & 4, Loose et al., as modified by Frain and Okada, discloses wherein light transmittance rate of the symbol display area is changed (paragraph 0025 of Loose et al.).

Referring to claim 5, Loose et al., as modified by Frain and Okada, discloses wherein a window frame display area is formed at a periphery of the symbol display area (where the glass cover/window is inserted around the display area 16 for non-movement of Loose et al.), and wherein display mode of the window frame display area is changed when the game information is displayed in the area including the symbol display area (for example: going from Fig. 5 to Fig. 6 to Fig. 7 of Loose et al.).

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Referring to claim 6, Loose et al., as modified by Frain and Okada, discloses wherein the first display means includes a plurality of reels (12a-c of Loose et al.), and the display control means controls the second display means so as to display the game information before all of the reels are stopped (column 2 line 64-column 3 line 10 of Okada).

5. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. in view of Okada.

Referring to claim 13, Loose et al. discloses a first display device (12a-12c); a second display device arranged at a more front side than the first display device when seen from a front side of the gaming machine, the second display device including a symbol display area capable of transmittably displaying symbols on the first display device therethrough (14a & 14b); and a processor in communication with the first display device and the second display device (microcontroller 30);

the processor operate to: (a) enable a player to initiate a game by making a bet (paragraph 0026), (b) determine symbols to be displayed on the first display device (paragraph 0026), and (d) provide an award corresponding to the winning symbol combination (paragraph 0026). *Loose et al. does not disclose (c) control the second display device so as to display game information in the symbol display area after the game is initiated and before a winning symbol combination is displayed if the winning symbol combination is displayed on the first display device, the game information predicting the winning symbol combination.* However, Okada teaches (c) control the second display device so as to display game information in the symbol display area

after the game is initiated and before a winning symbol combination is displayed if the winning symbol combination is displayed on the first display device, the game information predicting the winning symbol combination (column 2 line 64-column 3 line 10). It would have been obvious to one of ordinary in the art at the time the invention was made to include control the second display device so as to display game information in the symbol display area after the game is initiated and before a winning symbol combination is displayed if the winning symbol combination is displayed on the first display device, the game information predicting the winning symbol combination, as disclosed by Okada, incorporated into Loose et al./Frain in order for the player to predict or expect a result of the game during the variation of symbols.

Referring to claim 14, Loose et al., as modified by Okada, discloses wherein the first display device has one or more symbol display parts capable of variable displaying (12a-12c of Loose et al.), and wherein the processor controls the second display device so as to display the game information in the symbol display area substantially at the same time that the variable displaying in the symbol display parts is stopped (abstract, Fig. 11 & associated text of Loose et al.).

Referring to claims 15 & 16, Loose et al., as modified by Okada, discloses wherein light transmittance rate of the symbol display area is changed (paragraph 0025 of Loose et al.).

Referring to claim 17, Loose et al., as modified by Okada, discloses wherein a window frame display area is formed at a periphery of the symbol display area, and wherein

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display mode of the window frame display area is changed when the game information is displayed in the symbol display area (*paragraphs 0014 & 0015 of Loose et al.*).

Referring to claim 18, Loose et al., as modified by Okada, teaches wherein the first display device includes a plurality of reels (12a-12c of Loose et al.), and wherein the processor controls the second display device so as to display the game information before all of the reels are stopped (column 2 line 64-column 3 line 10 of Okada).

Referring to claim 19, Loose et al., as modified by Okada, teaches wherein the first display device includes a plurality of reels (12a-12c of Loose et al.), and wherein the processor controls the second display device so as to display the game information in the symbol display area before all of the reels are stopped after at least one reel is stopped (column 2 line 64-column 3 line 10 of Okada).

Referring to claim 20, Loose et al., as modified by Okada, discloses wherein the processor changes light transmittance rate of the symbol display area high so as to transmittably display the symbols on the first display device therethrough (paragraph 0019 of Loose et al.), and wherein the processor changes the light transmittance rate of the symbol display area low so as to display the game information in the symbol display area (paragraph 0025 of Loose et al.).

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. in view of Okada.

Referring to claim 21, Loose et al. discloses a first display device (12a-12c) display device arranged at a more front side than the first display device when seen from a front side of the gaming machine, the second display device including a symbol display area

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capable of transmittably displaying symbols on the first display device therethrough (14a & 14b); and a processor in communication with the first display device and the second display device (microcontroller 30); the processor operate to: (a) enable a player to initiate a game by making a bet (paragraph 0026), (b) determine symbols to be displayed on the first display device (paragraph 0026), (c) control (microcontroller 30) the second display device so as to transmittably display the symbols on the first display device therethrough by changing light transmittance rate of the symbol display area so as to became high (paragraph 0019) and to display game information in the symbol display area by changing the light transmittance rate of the symbol display area so as to become low (paragraph 0025), and (d) provide an award corresponding to the winning symbol combination (paragraph 0026). *Loose et al. does not disclose, the game information predicting the winning symbol combination.* However, Okada teaches the game information predicting the winning symbol combination (column 2 line 64-column 3 line 10). It would have been obvious to one of ordinary in the art at the time the invention was made to include the game information predicting the winning symbol combination, as disclosed by Okada, incorporated into Loose et al./Frain in order for the player to predict or expect a result of the game during the variation of symbols.

Response to Arguments

7. Applicant's arguments with respect to claims 1-6 & 13-21 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kesha Frisby whose telephone number is 571-272-8774. The examiner can normally be reached on Mon. - Wed. 7-3pm & Thurs. - Fri. 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyf
Kyf 1/3/2007

KATHLEEN MOSSER
PRIMARY EXAMINER